

James A. Tedeschi

April 12, 2012

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Re: Docket No. 12-91, Solicitation of Comments Regarding Amateur Radio Communications

To Whom It May Concern:

I became an Extra Class licensed amateur radio operator in March, 2011. My call sign is K5USF. I bought my current home in April, 2006, before I became a Ham radio operator. I have a Bachelor's Degree in Electrical Engineering and a Master's Degree in Business Administration. Also, I am a retired Air Force Officer and a disabled Veteran. I have not participated in emergency communications, but I would be willing to participate should the circumstances require it. My son (kf5ety) is a licensed amateur radio operator too.

The deed restricted covenants' pertaining to radio antenna installations at my home are described below:

2.10 C

Radio and television antennas may be installed on roofs but only if they are completely hidden from view behind parapet walls and if they are completely hidden from view from the ground elevation of adjoining lots at a line of sight beginning at a point 6 feet above such ground elevation. Attic installations of radio and television antennas are recommended.

I cannot actively participate in ham radio operations for the fear of being sued. My antenna is a vertical fiberglass structure and is 33 feet tall. It is up at night, and down during the day. Recommend the Commission address amateur radio antenna impediments created by HOA/CC&R private land use agreements and clearly define "reasonable." There is no empirical data that states ham radio antennas reduce property values. However, there is substantial data that private land use agreements are restricting federally licensed antenna installations. HOAs/CC&Rs do not use a methodical process for determining the validity of antenna installations. It is a subjective and ad hoc approach. Should I be confronted by the HOA, my radio operations will stop immediately. "Tell us what you think and help shape the future" – I sincerely hope the Commission will do the right thing.

Respectfully,

Jim Tedeschi